IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 20432 of 2007(G)

OA.96/2002 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

SABU, S/O. KRISHNAN,
ADIPARAMBIL HOUSE, TRIKKUR P.O.

BY ADV. SRI.JOY THATTIL ITTOOP

RESPONDENTS:

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1. THE SOUTH INDIAN BANK LTD.,
TRICHUR, A BANKING COMPANY, REG. UNDER THE
COMPANIES ACT 1956, REP. BY ITS MANAGER,
KARUNAGAPPALLY BRANCH, KOLLAM DISTRICT.

2. TRICHUR JEWELLERS,
OPP: A.M.HOSPITAL, KARUNAGAPPALLY.

3. THE RECOVERY OFFICER,
OFFICE OF THE DEBTS RECOVERY TRIBUNAL,
ERNAKULAM.

4. MR. JINSON RAPHEL,
NEDUMBAKKARAN HOUSE, ANCHERI P.O., TRICHUR.

5. DAVY RAPHEL,
-DO- -DO-

6. SMT. MARY RAPHEL,
-DO- -DO-

7. SMT. REENA C.O.,
CHAMAVALAPPIL HOUSE, THRITHAMANGALAM P.O.,
PALAKKAD.

R1 BY ADV. SRI.K.PRABHAKARAN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.20432 of 2007

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Dated this the 11th day of July, 2007.

JUDGMENT

Same matter came up before this court earlier and vide Ext.P10 judgment this court closed the W.P. leaving freedom to the petitioner to file appeal before the DRT. This W.P. is filed on the ground that time for filing appeal was over by the time judgment was pronounced. In the circumstances, I grant six weeks time from today to the petitioner to file appeal against the orders of the Recovery Officer before the DRT and if appeal is so filed, there will be direction to the DRT to entertain it as filed in time. The petitioner will produce copy of Ext.P10 judgment along with copy of this judgment before the DRT for entertaining appeal and for proceeding in the matter. It is open to the DRT to consider interim orders subject to conditions it deems fit. The W.P. is closed.

C.N.RAMACHANDRAN NAIR
Judge

pms